



March 29, 2017

The Honorable Scott Pruitt
Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Re: Methylene Chloride and NMethylpyrrolidone; Regulation of
Certain Uses Under TSCA Section 6(a), Docket No. EPA-HQ-OPPT-2016-
0231 ("Consumer Use Paint Removal Products Ban,")

Dear Administrator Pruitt:

I write on behalf of W.M. Barr & Company (Barr) to support the Halogenated Solvents Industry Alliance, Inc. (HSIA) request for an extension of the comment period deadline that EPA imposed as part of the notice of proposed rulemaking (NPRM) that will ban consumer uses of certain paint and coating removal products. In this proceeding, EPA proposes to prohibit the manufacture, import, or use of methylene chloride and n-Methylpyrrolidone (NMP) in paint and coating removal products - a result that would eliminate roughly 95 percent of Barr's paint and coating removal business. HSIA's request to extend the comment deadline in this docket by 120 days is more than reasonable given the technical complexity of the subject matter presented in the NPRM; the potential public health and safety ramifications that the proposed ban invokes; and the devastating economic impacts that small business manufacturers may be forced to endure without commensurate public health and safety benefits.

EPA published the paint removal product ban in the *Federal Register* on January 19, 2017 after a lengthy pre-rule Small Business Regulatory Enforcement Fairness Act (SBREFA) process. See 82 Fed. Reg. 7436 (January 19, 2017). During that process, small business manufacturers, including Barr, implored the agency not to move forward with a proposed rule that would require formulators to discontinue products that have been in use for generations in favor of alternative formulations that are less safe, or less effective and more expensive than the high-quality products we offer today. Barr offered EPA this perspective with the benefit of a 70-year history manufacturing products in the U.S. that work effectively, and that consumers know and depend on to provide a safe and effective do-it-yourself solution when used appropriately.

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EPA dismissed this perspective and instead moved forward with a proposed ban that, as our comments will illustrate, relies on a scientifically and procedurally flawed risk assessment that fails to meet the standards of § 26 of the recently-amended Toxic Substances Control Act (TSCA); does not adequately assess costs and benefits; nor meet EPA's inter or interagency coordination obligations as required under TSCA § 9; and summarily rejects, without adequate justification, viable and effective regulatory alternatives, including enhanced labeling and consumer education and training requirements.

Barr looks forward to providing EPA with comments that reflect our industry expertise and perspective as a U.S. small business manufacturer committed to producing safe, effective products. However, we require additional time to provide the agency with the most effective commentary that reflects the work of outside technical experts that are currently addressing the economic, hazard, exposure, and consumer response assessments that EPA relied upon in the NPRM. An extension of the proposed paint removal product ban comment period by 120-days will allow Barr to provide EPA with robust, data-driven response to the NPRM.

I thank you in advance for considering HSIA's request, and respectfully request that EPA extend the comment deadline as our trade association proposes.

Sincerely,

Rebecca Drzal

Senior Corporate Counsel, W.M Barr & Company

CC: Cindy Wheeler; Niva Kramek; Ana Corado
Chemical Control Division, Office of Pollution Prevention & Toxics

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